

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

KENNETH HORTON,

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social
Security,
Defendant.

Case No. 1:18-cv-1331

ORDER

On May 17, 2019, United States Magistrate Judge Michael S. Nachmanoff entered a Report and Recommendation ("Report") in this social security case regarding a final decision from the Commissioner of the Social Security Administration denying plaintiff's claim for disability insurance benefits. In the Report, Judge Nachmanoff recommends that plaintiff's motion for summary judgment be denied and that defendant's motion for summary judgment be granted.¹

Upon consideration of the record and Judge Nachmanoff's well-reasoned Report, to which no objections have been filed, and having found no clear error,²

The Court **ADOPTS**, as its own, the findings and facts and recommendations of Judge Nachmanoff as set forth in his Report (Dkt. 17).

¹ Both parties in this matter were represented by counsel.

² See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate's report, the court "need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'").

Accordingly,

It is hereby **ORDERED** that plaintiff's motion for summary judgment (Doc. 11) is **DENIED**.

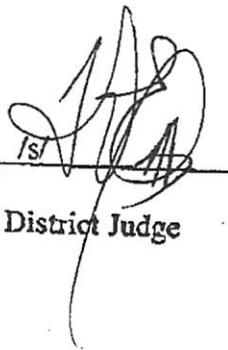
It is further **ORDERED** that defendant's motion for summary judgment (Doc. 13) is **GRANTED**.

It is further **ORDERED** that the joint motion for enlargement of time (Dkt. 10) is **DENIED AS MOOT**.

The Clerk of Court is directed to enter Rule 58 judgment in favor of the defendant.

The Clerk of the Court is further directed to provide a copy of this Order to all counsel of record and to place this matter among the ended causes.

Alexandria, Virginia
September 14, 2021



T. S. Ellis, III
United States District Judge